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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,365	11/07/2001	Riad Ghabra	LEAR 0703 PUS/02804	7963
7590	04/06/2004		EXAMINER CHEN, SHIH CHAO	
Mark D. Chuey Brooks & Kushman P.C. 22nd Floor 1000 Town Center Southfield, MI 48075-1351			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/039,365	<b>Applicant(s)</b> GHABRA ET AL.	
	<b>Examiner</b> Shih-Chao Chen	<b>Art Unit</b> 2821	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-5, 8-16 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertrand Faure (FR 2768100 A1).

Regarding claim 1, Bertrand Faure teaches in figures 1-2 a vehicular seating system responsive to radio frequency (RF) signals, the system comprising: a vehicle passenger compartment defined by an interior boundary; a seat [1] disposed within the passenger compartment, the seat [1] having a seat back [4] separated from the interior boundary; a headrest [5] extending from the seat back [4]; and a module [10] centrally disposed within the headrest [5] for receiving RF signals.

Regarding claim 2, Bertrand Faure teaches in figures 1-2 the system wherein the RF signals originate from a source (See FIG. 2) outside of the passenger compartment [24].

Regarding claim 4, Bertrand Faure teaches in figures 1-2 the system wherein the RF signals originate from a control source [25].

Regarding claim 5, Bertrand Faure teaches in figures 1-2 the system wherein the control source [25] is a remote keyless entry device (RKE).

Regarding claim 8, Bertrand Faure teaches in figures 1-2 the system further comprising means for a vehicle control system (See FIG. 2).

Regarding claim 9, Bertrand Faure teaches in figures 1-2 the system wherein the module [10] is supported and positioned within the headrest [5] by foam, the module [10] separated from an outer covering material [8] of the headrest [5].

Regarding claim 10, Bertrand Faure teaches in figures 1-2 the system wherein the module [10] is supported within the headrest [5] by a cross member [6] within the headrest [5], the module [10] separated from an outer covering material [8] of the headrest [5].

Regarding claim 11, Bertrand Faure teaches in figures 1-2 the system wherein the seat [1] is a front seat.

Regarding claim 12, Bertrand Faure teaches in figures 1-2 the system wherein the headrest [5] is located above a definable metallic plane comprising vehicle door panels.

Regarding claim 13, Bertrand Faure teaches in figures 1-2 the system wherein the headrest [5] is substantially clear of interference from any substantial metallic object within the passenger compartment.

Regarding claim 14, Bertrand Faure teaches in figures 1-2 the system wherein the module [10] comprises an antenna [15].

Regarding claim 15, Bertrand Faure teaches in figures 1-2 a vehicle seating system for receiving RF signals, the seating system comprising: a seat back portion [4]; a headrest portion [5] extendable from the seat back portion [4], the headrest [5]

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portion having an interior compartment (See FIG. 1); and an antenna [15] centrally disposed within the interior compartment for receiving RF signals.

Regarding claim 16, Bertrand Faure teaches in figures 1-2 the system wherein the seat back portion [4] is for a vehicle seat not forming any portion of an interior boundary of a vehicle passenger compartment.

Regarding claim 18, Bertrand Faure teaches in figures 1-2 the system wherein the antenna [15] is separated from an outer surface of the headrest [5].

Regarding claim 19, Bertrand Faure teaches in figures 1-2 a remote keyless entry (RKE) system for an automotive vehicle comprising: an RKE device [25] for transmitting radio frequency (RF) signals; a front vehicle seat [1] having a headrest [5]; an antenna [15] centrally disposed within the headrest [5], the antenna [15] capable of receiving RF signals from the RKE device; and a control system [12] in communication with the antenna [15], the control system [12] responsive to the RKE signals (See FIG. 2).

Regarding claim 20, Bertrand Faure teaches in figures 1-2 the RKE system wherein the antenna [15] is separated from an outer surface of the headrest [5].

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 6-7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertrand Faure (Cited above) in view of Lill (U.S. Patent No. 6,362,731).

Bertrand Faure teaches every feature of the claimed invention except for the module or the antenna is operative to transmit RF signals to a destination outside the passenger compartment; and the information source is a tire monitoring device.

Lill teaches in figures 1-4 the module or the antenna [31] is operative to transmit RF signals to a destination outside the passenger compartment (i.e. tires); and the information source [10] is a tire monitoring device.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the module or antenna for receiving RF signals as shown in Bertrand Faure by using the module or the antenna is further operative to transmit RF signals to a destination outside the passenger compartment; and the information source is a tire monitoring device as taught by Lill in order to using the tire pressure monitors detect tire pressure information from their respective tires and transmit that information to transponders that are fixedly-mounted to the vehicle (See Abstract).

### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-Chao Chen whose telephone number is (571) 272-1819. The examiner can normally be reached on Monday-Friday from 7 AM to 4:30 PM, First Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Shih-Chao Chen*  
Shih-Chao Chen  
Examiner  
Art Unit 2821

SXC  
March 29, 2004